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David W. Dorton, Reg. No. 51,625

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/700,612
Filed: November 4, 2003
Art Unit: 3752
Examiner: Steven J. Ganey
Title: LIQUID MATERIAL DISPENSING APPARATUS AND METHOD
UTILIZING PULSED PRESSURIZED AIR
Applicants: Laurence B. Saidman et al.
Attorney Docket: NOR-1114
Confirmation No.: 6511

Cincinnati, Ohio 45202

August 28, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. §1.132

Further to the Amendment filed August 15, 2007, Applicants hereby submit a declaration of Masafumi Matsunaga under 37 C.F.R. §1.132 to address the rejections of claims based on U.S. Patent No. 5,800,867 to Matsunaga et al. As discussed in the declaration and in the Amendment filed April 18, 2007, Matsunaga '867 does not disclose a controller operable to move liquid material discharging from an outlet as an attenuated continuous stream, or pulsing pressurized air to cause liquid material to move as an attenuated continuous stream. Rather, the apparatus of Matsunaga '867

dispenses liquid or powder as dots or in a spray pattern. Reconsideration of the rejections of claims based on Matsunaga '867 is therefore respectfully requested.

Applicants do not believe that any fee is due in connection with this submission. However, if any fees are necessary to complete this communication, the Commissioner may consider this to be a request for such and charge any necessary fees to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

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APPLICATION OF SAIDMAN ET AL.
SERIAL NUMBER: 10/700,612
FILED: November 4, 2003
TITLE: LIQUID MATERIAL
DISPENSING APPARATUS
AND METHOD UTILIZING
PULSED PRESSURIZED AIR
EXAMINER: STEVEN J. GANEY

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Managing Director and Sales Manager, Finishing and Container Division,
1987-1993;

Managing Director and General Manager, Packaging and Product Assembly
Division, 1993-1995;

Managing Director and General Manager, Container, Electronics and Converting
Division, 1995-1999;

Managing Director, General Manager, Division III, 1999-2001;

Director, Packaging, Product Assembly and Nonwovens Engineering,
2001-2002; and

Director, New Business Development, 2002 - Present

I am named as an inventor on 39 patents, including 13 U.S. Patents in the field of material dispensing, one of which is U.S. Patent No. 5,800,867 (the '867 patent). The '867 patent was applied to reject claims in Nordson's pending U.S. Patent Application Serial No. 10/700,612 under 35 U.S.C. §102.

I have reviewed and understand the subject matter of Nordson's pending U.S. Patent Application Serial No. 10/700,612 (the '612 Application), including the claims now pending. I have also reviewed the final Office Action dated February 27, 2007. I make the following comments based on my education, knowledge and experience in the field of liquid dispensing systems, and based on my intimate knowledge of the subject matter of the '867 patent.

The '867 patent is directed to a method and apparatus for dispensing liquid material as droplets or atomized particles. While the specification uses the term "stream," that term is defined in the '867 patent, at col. 5, lines 30-34, to refer to

dispensed liquid drops, droplets, or atomized liquid particles. Specifically, the '867 patent discloses the use of air (blowout flows) from blowout ports 33a-33f to break up dispensed liquid material into discrete droplets or dots of spray. The droplets or dots of spray are deposited on a substrate in various arrangements depicted, for example, in FIGS. 3, 5, 8A, 8B, 10A, 10B, 12A-12D, 13A-13D, 16A-16C, and 17A-17E. Each of these figures clearly depicts patterns of droplets or atomized particles of sprayed liquid that do not form an attenuated, continuous stream of liquid material. For the reasons discussed above, it is my understanding, and I believe that other persons skilled in the art would understand, that the air flows shown and described in the '867 patent do not move liquid material discharging from an outlet in a desired pattern as an attenuated continuous stream. Accordingly, the '867 patent does not disclose dispensing liquid material as "an attenuated continuous stream," as disclosed and claimed in the '612 Application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with knowledge that willful false statements and the like, so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent application or any patent issued thereon.

Respectfully submitted,

August 16, 2007
Date:

Masafumi Matsunaga
Masafumi Matsunaga